

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF

In re:

ENGLERT, FRANCIS P.  
MONACI-ENGLERT, LISA M.

Debtor(s)

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§  
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§

Case No. 09-10949 JNF

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TRUSTEE'S FINAL REPORT (TFR)

The undersigned trustee hereby makes this Final Report and states as follows:

1. The debtor filed a petition under chapter of the United States Bankruptcy Code on . The undersigned trustee was appointed on .
2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized gross receipts of \$

Funds were disbursed in the following amounts:

Administrative expenses  
Payments to creditors  
Non-estate funds paid to 3<sup>rd</sup> Parties  
Payments to the debtor

Leaving a balance on hand of<sup>1</sup> \$

The remaining funds are available for distribution.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

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<sup>1</sup> The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

6. The deadline for filing claims in this case was . All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$ . To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$ as interim compensation and now requests a sum of \$ , for a total compensation of \$ . In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$ , and now requests reimbursement for expenses of \$ , for total expenses of \$ .

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: \_\_\_\_\_ By: /s/JOHN O. DESMOND  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

Document FORM 1 Page 3 of 12  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**

**ASSET CASES**

Page: 1  
**Exhibit A**

Case No: 09-10949 JNF Judge: JOAN N. FEENEY  
Case Name: ENGLERT, FRANCIS P.  
MONACI-ENGLERT, LISA M.  
For Period Ending: 05/21/10

Trustee Name: JOHN O. DESMOND  
Date Filed (f) or Converted (c): 02/08/09 (f)  
341(a) Meeting Date: 03/10/09  
Claims Bar Date: 11/05/09

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=554(a) Abandon DA=554(c) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. TAX REFUND	0.00	3,500.00		3,500.00	FA
2. Post-Petition Interest Deposits (u)	Unknown	N/A		0.86	Unknown
3. REAL ESTATE	399,900.00	0.00		0.00	FA
4. BANK ACCOUNT	812.00	0.00		0.00	FA
5. HOUSEHOLD GOODS	300.00	0.00		0.00	FA
6. CLOTHING	300.00	0.00		0.00	FA
7. 401 (k)	44,394.00	0.00		0.00	FA
8. IRA	3,000.00	0.00		0.00	FA
9. Automobile	625.00	0.00		0.00	FA
10. Automobile	450.00	0.00		0.00	FA

				Gross Value of Remaining Assets
TOTALS (Excluding Unknown Values)	\$449,781.00	\$3,500.00	\$3,500.86	\$0.00
				(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Initial Projected Date of Final Report (TFR): 03/31/10      Current Projected Date of Final Report (TFR): 05/21/10

\_\_\_\_\_  
Date: \_\_\_\_\_  
JOHN O. DESMOND

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Page: 1  
Exhibit B

Case No: 09-10949 -JNF  
Case Name: ENGLERT, FRANCIS P.  
MONACI-ENGLERT, LISA M.  
Taxpayer ID No: \*\*\*\*\*4514  
For Period Ending: 05/21/10

Trustee Name: JOHN O. DESMOND  
Bank Name: BANK OF AMERICA  
Account Number / CD #: \*\*\*\*\*7240 Money Market - Interest Bearing

Blanket Bond (per case limit): \$ 38,328,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
			BALANCE FORWARD				0.00
07/02/09	1	Francis Englert	Turnover of tax refund - non exempt	1121-000	3,500.00		3,500.00
07/31/09	2	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.07		3,500.07
08/31/09	2	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.09		3,500.16
09/23/09	000101	International Sureties, LTD.	Bond No. 016027600	2300-000		2.82	3,497.34
09/30/09	2	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.09		3,497.43
10/30/09	2	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.09		3,497.52
11/30/09	2	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.09		3,497.61
12/31/09	2	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.09		3,497.70
01/29/10	2	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.08		3,497.78
02/26/10	2	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.08		3,497.86
03/31/10	2	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.09		3,497.95
04/30/10	2	BANK OF AMERICA	Interest Rate 0.030	1270-000	0.09		3,498.04

COLUMN TOTALS	3,500.86	2.82	3,498.04
Less: Bank Transfers/CD's	0.00	0.00	
Subtotal	3,500.86	2.82	
Less: Payments to Debtors		0.00	
Net	3,500.86	2.82	

TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
Money Market - Interest Bearing - *****7240	3,500.86	2.82	3,498.04
	-----	-----	-----
	3,500.86	2.82	3,498.04
	=====	=====	=====
(Excludes Account Transfers)		(Excludes Payments To Debtors)	Total Funds On Hand

Page Subtotals 3,500.86 2.82

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 09-10949 -JNF  
Case Name: ENGLERT, FRANCIS P.  
MONACI-ENGLERT, LISA M.  
Taxpayer ID No: \*\*\*\*\*4514  
For Period Ending: 05/21/10

Trustee Name: JOHN O. DESMOND  
Bank Name: BANK OF AMERICA  
Account Number / CD #: \*\*\*\*\*7240 Money Market - Interest Bearing

Blanket Bond (per case limit): \$ 38,328,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)

Page Subtotals 0.00 0.00

EXHIBIT C  
ANALYSIS OF CLAIMS REGISTER

Case Number: 09-10949		Page 1		Date: May 21, 2010		
Debtor Name: ENGLERT, FRANCIS P.		Claim Number Sequence				
Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
000001 070 7100-00	DISCOVER BANK DFS Services LLC PO Box 3025 New Albany, Ohio 43054-3025	Unsecured		\$15,656.13	\$0.00	\$15,656.13
000002 070 7100-00	Chase Bank USA NA PO BOX 15145 Wilmington, DE 19850-5145	Unsecured		\$2,145.99	\$0.00	\$2,145.99
000003 070 7100-00	Chase Bank USA, N.A. PO Box 15145 Wilmington, DE 19850-5145	Unsecured		\$8,294.86	\$0.00	\$8,294.86
000004 070 7100-00	Chase Bank USA, N.A. PO Box 15145 Wilmington, DE 19850-5145	Unsecured		\$3,206.61	\$0.00	\$3,206.61
000005 070 7100-00	American Express Centurion Bank POB 3001 Malvern, PA 19355-0701	Unsecured		\$21,958.13	\$0.00	\$21,958.13
000006 070 7100-00	American Express Bank, FSB POB 3001 Malvern, PA 19355-0701	Unsecured		\$1,774.89	\$0.00	\$1,774.89
000007 070 7100-00	American Express Centurion Bank POB 3001 Malvern, PA 19355-0701	Unsecured		\$1,822.92	\$0.00	\$1,822.92
000008 070 7100-00	FIA CARD SERVICES, NA/BANK OF AMERICA BY AMERICAN INFOSOURCE LP AS ITS AGENT PO Box 248809 Oklahoma City, OK 73124-8809	Unsecured		\$5,008.52	\$0.00	\$5,008.52
000009 070 7100-00	FIA CARD SERVICES, NA/BANK OF AMERICA BY AMERICAN INFOSOURCE LP AS ITS AGENT PO Box 248809 Oklahoma City, OK 73124-8809	Unsecured		\$17,595.66	\$0.00	\$17,595.66
000010 070 7100-00	FIA CARD SERVICES, NA/BANK OF AMERICA BY AMERICAN INFOSOURCE LP AS ITS AGENT PO Box 248809 Oklahoma City, OK 73124-8809	Unsecured		\$1,551.44	\$0.00	\$1,551.44
000011 070 7100-00	FIA CARD SERVICES, NA/BANK OF AMERICA BY AMERICAN INFOSOURCE LP AS ITS AGENT PO Box 248809 Oklahoma City, OK 73124-8809	Unsecured		\$47,863.34	\$0.00	\$47,863.34

EXHIBIT C  
ANALYSIS OF CLAIMS REGISTER

Case Number:	09-10949	Page 2			Date: May 21, 2010	
Debtor Name:	ENGLERT, FRANCIS P.		Claim Number Sequence			
Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
000012 070 7100-00	FIA CARD SERVICES, NA/BANK OF AMERICA BY AMERICAN INFOSOURCE LP AS ITS AGENT PO Box 248809 Oklahoma City, OK 73124-8809	Unsecured		\$10,703.12	\$0.00	\$10,703.12
000013 070 7100-00	PYOD LLC its successors and assigns as assignee of Citibank c/o Resurgent Capital Services PO Box 19008 Greenville, SC 29602-	Unsecured		\$267.20	\$0.00	\$267.20
000014 070 7100-00	PYOD LLC its successors and assigns as assignee of Citibank c/o Resurgent Capital Services PO Box 19008 Greenville, SC 29602-	Unsecured		\$7,320.42	\$0.00	\$7,320.42
000015 070 7100-00	PYOD LLC its successors and assigns as assignee of Citibank c/o Resurgent Capital Services PO Box 19008 Greenville, SC 29602-	Unsecured		\$2,102.98	\$0.00	\$2,102.98
000016 070 7100-00	PYOD LLC its successors and assigns as assignee of Citibank c/o Resurgent Capital Services PO Box 19008 Greenville, SC 29602-	Unsecured		\$288.42	\$0.00	\$288.42
Case Totals:				\$147,560.63	\$0.00	\$147,560.63

Code #: Trustee's Claim Number, Priority Code, Claim Type

**TRUSTEE'S PROPOSED DISTRIBUTION**

Exhibit D

Case No.: 09-10949 JNF

Case Name: ENGLERT, FRANCIS P.

MONACI-ENGLERT, LISA M.

Trustee Name: JOHN O. DESMOND

Claims of secured creditors will be paid as follows:

<i>Claimant</i>	<i>Proposed Payment</i>
_____	\$ _____
_____	\$ _____
_____	\$ _____

Applications for chapter 7 fees and administrative expenses have been filed as follows:

<i>Reason/Applicant</i>	<i>Fees</i>	<i>Expenses</i>
<u>Trustee: JOHN O. DESMOND</u>	\$ _____	\$ _____
<u>Attorney for trustee:</u>	\$ _____	\$ _____
<u>Appraiser:</u>	\$ _____	\$ _____
<u>Auctioneer:</u>	\$ _____	\$ _____
<u>Accountant:</u>	\$ _____	\$ _____
<u>Special Attorney for trustee:</u>	\$ _____	\$ _____
<u>Charges:</u>	\$ _____	\$ _____
<u>Fees:</u>	\$ _____	\$ _____
<u>Other:</u>	\$ _____	\$ _____
<u>Other:</u>	\$ _____	\$ _____



Applications for prior chapter fees and administrative expenses have been filed as follows:

<i>Reason/Applicant</i>	<i>Fees</i>	<i>Expenses</i>
<u>Attorney for debtor:</u>	\$ _____	\$ _____
<u>Attorney for:</u>	\$ _____	\$ _____
<u>Accountant for:</u>	\$ _____	\$ _____
<u>Appraiser for:</u>	\$ _____	\$ _____
<u>Other:</u>	\$ _____	\$ _____

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$ \_\_\_\_\_ must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ \_\_\_\_\_ have been allowed and will be paid pro rata only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be \_\_\_\_\_ percent.

Timely allowed general (unsecured) claims are as follows:

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
<u>000001</u>	<u>DISCOVER BANK</u>	\$ _____	\$ _____
<u>000002</u>	<u>Chase Bank USA NA</u>	\$ _____	\$ _____
<u>000003</u>	<u>Chase Bank USA, N.A.</u>	\$ _____	\$ _____

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
<u>000004</u>	<u>Chase Bank USA, N.A.</u>	\$ <u>                    </u>	\$ <u>                    </u>
	<i>American Express Centurion</i>		
<u>000005</u>	<u>Bank</u>	\$ <u>                    </u>	\$ <u>                    </u>
<u>000006</u>	<u>American Express Bank, FSB</u>	\$ <u>                    </u>	\$ <u>                    </u>
	<i>American Express Centurion</i>		
<u>000007</u>	<u>Bank</u>	\$ <u>                    </u>	\$ <u>                    </u>
	<i>FIA CARD SERVICES,</i>		
<u>000008</u>	<u>NA/BANK OF AMERICA</u>	\$ <u>                    </u>	\$ <u>                    </u>
	<i>FIA CARD SERVICES,</i>		
<u>000009</u>	<u>NA/BANK OF AMERICA</u>	\$ <u>                    </u>	\$ <u>                    </u>
	<i>FIA CARD SERVICES,</i>		
<u>000010</u>	<u>NA/BANK OF AMERICA</u>	\$ <u>                    </u>	\$ <u>                    </u>
	<i>FIA CARD SERVICES,</i>		
<u>000011</u>	<u>NA/BANK OF AMERICA</u>	\$ <u>                    </u>	\$ <u>                    </u>
	<i>FIA CARD SERVICES,</i>		
<u>000012</u>	<u>NA/BANK OF AMERICA</u>	\$ <u>                    </u>	\$ <u>                    </u>
	<i>PYOD LLC its successors and</i>		
<u>000013</u>	<u>assigns as assignee of</u>	\$ <u>                    </u>	\$ <u>                    </u>
	<i>PYOD LLC its successors and</i>		
<u>000014</u>	<u>assigns as assignee of</u>	\$ <u>                    </u>	\$ <u>                    </u>
	<i>PYOD LLC its successors and</i>		
<u>000015</u>	<u>assigns as assignee of</u>	\$ <u>                    </u>	\$ <u>                    </u>
	<i>PYOD LLC its successors and</i>		
<u>000016</u>	<u>assigns as assignee of</u>	\$ <u>                    </u>	\$ <u>                    </u>

Tardily filed claims of general (unsecured) creditors totaling \$ \_\_\_\_\_ have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be \_\_\_\_\_ percent.

Tardily filed general (unsecured) claims are as follows:

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ \_\_\_\_\_ have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be \_\_\_\_\_ percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

The amount of surplus returned to the debtor after payment of all claims and interest is \$ \_\_\_\_\_.

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS**

IN RE:	
Francis P. Englert and Lisa M. Monaci-Englert,  Debtors	Chapter 7 Case No. 09-10949-JNF

**ORDER APPROVING TRUSTEE'S FINAL REPORT AND ACCOUNT BEFORE  
DISTRIBUTION, REQUEST FOR COMPENSATION AND REPORT ON  
CLAIMS/PROPOSED DISTRIBUTION**

The Trustee's Final Report and Account before Distribution and attachments thereto having been scheduled for hearing before the Court, and said hearing having been canceled in the absence of objections, IT IS ORDERED:

That the Trustee's Financial Report and Account is hereby APPROVED including all requests for compensation and expenses set forth therein and the other attachments thereto.

\_\_\_\_\_  
JOAN N. FEENEY

United States Bankruptcy Judge

Dated: \_\_\_\_\_